

REMARKS

Reconsideration and further examination of the subject patent application in view of the present Amendment and the following Remarks is respectfully requested. Claims 1-56 are pending in the application. Claims 1-7, 11-27, 31-40, and 43-49 have been rejected under 35 U.S.C. §103(e) as being unpatentable over U.S. Pat. Pub. No. 2003/0009530 to Philonenko et al. ("Philonenko") in view of U.S. Pat. Pub. No. 2001/0047270 to Gusick et al. ("Gusick"). Claims 41, 42, and 50-56 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Philonenko in view of U.S. Pat. No. 5,987,116 to Petrunka et al. ("Petrunka"). Claims 8-10 and 28-30 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Philonenko in view of Gusick and further in view of Petrunka. Claims 1, 21, 41-43, 46, 49, 50, 53, and 56 have been amended. After careful review of the claims as amended, it is believed that the claims are in allowable form and therefore allowance is respectfully requested.

Claims 1-7, 11-27, 31-40, and 43-49 have been rejected as obvious over Philonenko and Gusick. Philonenko describes a system for improved communication and reporting within a communication system wherein agent status is monitored and a customer can request agent status information by instant message from a status server before making a call. However, the independent claims 1, 21, 43, 46, and 49 call for establishing an immediate message connection between one or more experts selected by an agent servicing a customer. Philonenko does not describe a connection between an agent servicing a customer and a selected expert rather Philonenko merely describes a customer accessing a server for status information before contact with an agent. The Office Action cites paragraphs 51, 54-56, and 61 of Philonenko. However, paragraph 51 merely describes the status server monitoring and logging agent status information; and paragraphs 54-56 merely describe the request from the customer (user 9) to the status server for status information (paragraph 54) and sending the status information to the customer (paragraphs 55-56). This is for the purpose of taking a user's status request before requiring the user to place an actual call or initiate a contact with the center (paragraph 53, lines 11-14). Paragraph 61 merely describes the customer interface which reports the status information. Thus, Philonenko does not disclose establishing an immediate connection between the agent servicing a customer and selected expert(s), nor exchange of immediate messages between them. Further, Philonenko does not disclose the other claimed features of claim 1-7, 11-27, 31-40, and 43-49.

The Office Action asserts that Gusick teaches the claimed receiving a selection from the agent identifying an expert group, and identifying at least one expert in paragraph 64. Gusick

describes a customer service system to enable different members of a customer service network to communicate and share customer service information. Paragraph 64 of Gusick describes a dispatcher assigning questions to a team member or expert by routing the question to the team member's pending question list. The claims however, call for receiving a selection that identifies a group and triggering an immediate message to request assistance from the group. Gusick merely describes a dispatcher sending the question directly to a specific selected team member selected by the dispatcher and does not describe the claimed triggering of an immediate instant message to request assistance from a group. Gusick also does not describe invoking a workflow based upon the selection as now claimed (see e.g., paragraph 82). Further, the Gusick dispatcher selects the specific team member, while the claim now calls for identifying the selected expert(s) automatically using the workflow (see e.g. paragraph 83). Thus, the combination of Philonenko and Gusick fails to disclose receiving a selection from the agent that identifies an agent group, triggering an immediate message to request assistance from the group, invoking a workflow based on the selection, automatically identifying the at least one expert using the workflow, and establishing an immediate message connection between the agent and the customer. Therefore, independent claims 1, 21, 43, 46, and 49 are distinguishable over the combination of Philonenko and Gusick for these reasons, as are dependent claims 2-20, 22-40, 44-45, and 47-48 which are dependent thereon.

Claims 41, 42, and 50-56 have been rejected as obvious over Philonenko in view of Petrunka. Independent claims 41, 42, 50, 53, and 56 call for establishing an immediate message connection between the expert and the agent or requester. As discussed above, this feature is not disclosed by Philonenko, nor is it disclosed by Petrunka. Philonenko also does not disclose automatically identifying the at least one expert using the workflow, but merely describes customer call routing to agents in paragraphs 62-63. Philonenko also does not teach invoking a workflow based upon the selection, and automatically identifying an expert using the workflow as claimed in claims 41, 42, and 50-56. These features are also not disclosed in Petrunka which merely routes calls from customers to agents but does not invoke workflow based on selection of an expert group or automatically identify an expert using the workflow. Thus, independent claims 41, 42, 50, 53, and 56 have been distinguishable over the combination of Philonenko and Petrunka, as are claims 51, 52, 54, and 55 which are dependent upon thereon.

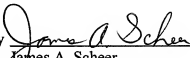
For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Examiner be of the

opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

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